

Government of the District of Columbia

ZONING COMMISSION



Zoning Commission Order No. 59
January 12, 1973

Pursuant to notice, a hearing of the Zoning Commission was held on September 20, 1972 to consider amendments to the text of the Zoning Regulations. Thereafter, having met in Executive Session, the Commission hereby ORDERS the following changes in the text of the Zoning Regulations:

1. Add a new definition to Section 1202 to read as follows:

"Mass transit facilities--Facilities, such as but not limited to, stations, trackage, ventilating and electrical equipment, parking lot or structure and bus or automobile transfer areas, which have been determined by the District of Columbia Council to be necessary to the operation of a fixed right-of-way mass transit system and subject to such restrictions and conditions as may be imposed by said Council. Such facilities shall not include commercial, residential, industrial or other development located in, on or over facilities approved as part of the basic operating system."

2. Add a new paragraph 3101.312 to permit as a matter of right, in the R-1 and less restrictive districts, transit facilities as follows:

3101.312 - Mass Transit Facilities

3. Add a new paragraph 6101.36 to permit as a matter of right, in C-M and less restrictive districts, repair and maintenance facilities related to a fixed right-of-way mass transit system as follows:

6101.36 - Yards, buildings and structures for the repair, maintenance and storage of equipment related to a fixed right-of-way mass transit system.

4. Amend Section 3308 by adding a new subsection 3308.3, to permit mechanical equipment related to a transit system to be located in a roof structure as an addition to the equipment required by the building without the FAR limitations placed on normal roof structures. The new subsection shall read as follows:

3308.3 - Mechanical equipment owned, and operated as a roof structure by a fixed right-of-way mass transit system shall be permitted with approval of the District of Columbia Council, in addition to roof structures permitted in subsections 3308.1 and 3308.2,

5. The stations and rights-of-way for systems such as that being developed by WMATA cross public property, public streets and Authority-owned land, sometimes in combination. Therefore, it is impossible to obtain a "record lot" for development as required by Subsection 8103.3. An exemption from the "record lot" requirement should be provided by amending the subsection to read as follows:

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8103.3 - Hereafter, except as provided in Section 7516 and the Act of Congress of June 28, 1898, (30 Stat. 520, Chapt. 519 Section 5) a building permit shall not be issued for the proposed erection, construction or conversion of any principal structure, or for any addition to such structure, unless the land therefor has been divided so that each structure shall be on a separate lot of record, except buildings and structures related to a District of Columbia Council approved fixed right-of-way mass transit system. Any combination of commercial occupancies separated in their entirety, erected or maintained in a single ownership shall be considered as one structure.

WALTER E. WASHINGTON

John A. Nevius
JOHN A. NEVIUS

Sterling Tucker
STERLING TUCKER

GEORGE M. WHITE

Richard L. Stanton
RICHARD L. STANTON

ATTESTED:

Martin Klauber
Martin Klauber

Secretary to the Zoning Commission